

REMARKS

Claims 1-4, 6-12, 14, 16, 17 and 19-35 are pending in the instant application. Claims 1-17, 19, and 20 presently stand rejected. Claims 1, 4, 9 and 14 are amended, claims 5, 13 and 15 are cancelled and new claims 21-35 are added herein. Entry of this amendment and reconsideration of the pending claims are respectfully requested.

Claim Rejections – 35 U.S.C. § 112

Claims 1, 4, and 14 stand rejected under 35 U.S.C. § 112, first paragraph, as allegedly failing to comply with the written description requirement. By way of this response, Applicant has amended claims, 1, 4 and 14 to recite “*wherein the first and second firmware utilize an Extensible Firmware Interface (EFI) framework.*” Support for this amendment can be found at least in paragraph [0039] of the application, as filed, which states, “*In one embodiment, resource sharing is facilitated via an extensible firmware framework known as Extensible Firmware Interface (EFI)...*” Accordingly, Applicant respectfully requests withdrawal of the 35 U.S.C. § 112, first paragraph rejection of claims 1, 4, and 14.

Claims 1, 4, and 14 stand rejected under 35 U.S.C. § 112, second paragraph, as allegedly being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention. In particular, the July 15, 2009 Office Action indicates that “claims 1, 4 and 14 will be understood as wherein the first and second firmware utilize an EFI to facilitate the method for sharing.” As discussed above, Applicant has amended claims 1, 4, and 14, as suggested in the Office Action. Therefore, Applicant respectfully requests the withdrawal of all §112 rejections.

Claim Rejections – 35 U.S.C. § 103

Claims 1-8, 11-15, and 17-20 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Leigh et al. (US 2003/0088655) in view of Odryna et al. (US 2002/0143996) and in further view of Bramley, Jr. (US 6,889,340), and in further view of Chrysanthakopoulos et al. (US 7,343,441).

Claims 9 and 10 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Leigh et al. in view of obviousness and in further Chrysanthakopoulos et al. as applied to claim 4 and in even further view of Bigelow et al. (US 2004/0128562).

Claims 16 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Leigh et al., obviousness and Chrysanthakopoulos et al. as applied to claim 14 in view of DeCaprio et al. (US 7,114,180).

When combining prior art elements to establish a prima facie case of obviousness, the MPEP requires a factual finding “...*that the prior art include **each element claimed**...*” M.P.E.P. § 2143 (A)(1). “All words in a claim must be considered in judging the patentability of that claim against the prior art.” M.P.E.P. § 2143.03. Applicants respectfully submit that Leigh, Odryna, Bramley, and Chrynanthakopoulos, whether taken individually or in combination fail to disclose, teach, or suggest each element of amended claim 1.

For example, amended claim 1 recites,

A method for sharing an input device across a plurality of computing platforms, comprising:

asserting a first System Management Interrupt (SMI) at a first processor included in a first server blade;

switching an execution mode of the first processor included in the first server blade to a System Management Mode (SMM) in response to the first SMI;

in response to the first processor entering the SMM, initiating an out-of-band (OOB) communications channel between the first server blade and a second server blade, wherein initiating the OOB communications channel includes asserting a second SMI on a second processor included in the second server blade;

switching an execution mode of the second processor to the SMM in response to the second SMI;

routing input data generated at the first server blade to the second server blade over the OOB communications channel, said input data and said first SMI generated in response to receiving an input signal produced by an input device coupled to the first server blade; and

providing the input data to an operating system running on the second server blade, wherein routing input data to the first and second server blades and providing the input data to the operating system are performed via a first firmware and a second firmware on the first and second server blades, respectively, wherein the first

and second firmware utilize an Extensible Firmware Interface (EFI) framework

Thus, independent claim 1 now recites asserting a first System Management Interrupt (SMI), switching an execution mode of a first processor to a System Management Mode, initiating an out-of-band (OOB) communications channel in response to the first processor entering the SMM, and switching execution mode of a second processor to the SMM in response to a second SMI asserted during the initiating of the OOB. Applicants respectfully submit that Leigh fails to disclose, teach or suggest at least these expressly recited limitations. Odryna, Bramley, and Chryanthakopoulos do not cure the deficiencies of Leigh. Thus, the cited references fail to disclose each element of claim 1, as required under M.P.E.P. §2143. Independent claims 4 and 14 include similar nonobvious elements as independent claim 1. Accordingly, Applicants respectfully request that the §103(a) rejections of claims 1, 4 and 14 be withdrawn.

The dependent claims are nonobvious over the cited references for at least the same reasons as discussed above in connection with their respective independent claims, in addition to adding further limitations of their own. Accordingly, Applicants respectfully request that the instant § 103 rejections of the dependent claims also be withdrawn.

New Claims 21 - 35

By way of this response, Applicant has added new claims 21-35. New claims 21-35 are simply the allowed claims as indicated in the June 26, 2009 Notice of Allowance for parent application 10/606,636 (i.e., claims 1, 3, 6-15, 27-28 and 30 from U.S. Application No. 10/606,636). Applicants respectfully submit that new claims 21-35 are allowable for at least the same reasons as provided in support of the June 26, 2009 Notice of Allowance. Furthermore, Applicants respectfully submit that new claims 21-35 include similar limitations as discussed above in connection with amended independent claims 1, 4 and 14, and thus, are patentable for at least the same reasons as provided above in addition to adding further limitations of their own. For example, claim 21 recites, in part, “*entering a System Management Mode (SMM) at the first server blade and the second server blade;*” and “*in response to entering the SMM, initiating an*

out-of-band (OOB) communications channel between the first server blade and the second server blade.” As discussed above, the cited art fails to disclose entering a System Management Mode, much less initiating an out-of-band communications channel in response to entering the System Management Mode. Accordingly, Applicant respectfully submits that all claims in the application are presently in condition for allowance.

CONCLUSION

In view of the foregoing amendments and remarks, Applicants believe the applicable rejections have been overcome and all claims remaining in the application are presently in condition for allowance. Accordingly, favorable consideration and a Notice of Allowance are earnestly solicited. The Examiner is invited to telephone the undersigned representative at (206) 292-8600 if the Examiner believes that an interview might be useful for any reason.

CHARGE DEPOSIT ACCOUNT

It is not believed that extensions of time are required beyond those that may otherwise be provided for in documents accompanying this paper. However, if additional extensions of time are necessary to prevent abandonment of this application, then such extensions of time are hereby petitioned under 37 C.F.R. § 1.136(a). Any fees required therefore are hereby authorized to be charged to Deposit Account No. 02-2666. Please credit any overpayment to the same deposit account.

Respectfully submitted,

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